



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Applicant: **Gordon et al.**

Case no.: **DIVA/006 DIV1**

Serial No.: **09/781,483** Filed: **February 12, 2001**

Group Art Unit: **2173**

Title: **METHOD AND APPARATUS FOR PROVIDING A MENU STRUCTURE  
FOR AN INTERACTIVE INFORMATION DISTRIBUTION SYSTEM**

ASSISTANT COMMISSIONER FOR PATENTS  
Office of Initial Patent Examination's  
Customer Service Center  
Washington, D. C. 20231

S I R:

REQUEST FOR CORRECTED FILING RECEIPT

Applicants enclose herewith a copy of the Filing Receipt received in the above-captioned application and request a corrected Filing Receipt be issued to include the information indicated in red ink. Specifically, the filing date is February 12, 2001 - not February 10. Enclosed is a copy of the Post Office Express Mail Receipt showing the correct date stamped on it.

Respectfully submitted,

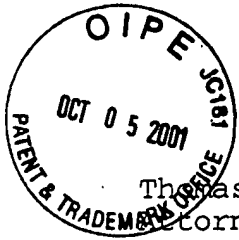
6/22/01

EJ Wall  
Eamon J. Wall  
Reg. No. 39,414  
(732) 530-9404

**RECEIVED**

**OCT 23 2001**

**OFFICE OF PETITIONS**



Thomason, Moser and Patterson, LLP  
Attorneys at Law  
2-40 Bridge Avenue  
P. O. Box 8160  
Red Bank, New Jersey 07701

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited  
on June 22, 2001 with the United States Postal  
Service as first class mail, with sufficient postage, in an  
envelope addressed to the Assistant Commissioner for Patents,  
Office of Initial Patent Examination's Customer Service Center,  
Washington, D.C. 20231.

Carol Hulse  
Signature

6/22/01  
Date of signature



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
002 5 0 010781,483	02/19/2001 12	2173	355	DIVA/006 DIV1	20	6	2

CONFIRMATION NO. 9109

## FILING RECEIPT



\*OC00000006043152\*

THOMASON, MOSER AND PATTERSON L.L.P.  
595 SHREWSBURY AVE  
FIRST FLOOR  
SHREWSBURY, NJ 07702

Date Mailed: 05/04/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Donald Gordon, Pacific Grove, CA;  
Christopher Goode, Menlo Park, CA;  
Philip A. Thomas, San Jose, CA;  
Mark D. Conover, Cupertino, CA;  
Brooks Cole, Point Reyes Station, CA;

## Assignment For Published Patent Application

DIVA Systems Corp.;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 08/984,427 12/03/1997 PAT 6,208,335  
WHICH CLAIMS BENEFIT OF 60/034,490 01/13/1997

## Foreign Applications

RECEIVED

OCT 23 2001

OFFICE OF PETITIONS

If Required, Foreign Filing License Granted 05/03/2001

Projected Publication Date: 08/16/2001

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Method and apparatus for providing a menu structure for an interactive information distribution system

**Preliminary Class**

345

---

Data entry by : ZEWDIE, HULEMENAYE

Team : OIPE

Date: 05/04/2001



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

No abandonment or termination of proceedings has occurred in Serial No. 08/984,427.

XX The assignment of the prior application Serial No. 08/984,427 from the co-inventors to DIVA Systems Corp. remains in effect for the subject divisional application.

— A certified copy of a \_\_\_\_\_ patent application or inventor's certificate, filed \_\_\_\_\_ and serial no. \_\_\_\_\_, upon which a claim to priority is made;  
— Preliminary Amendment

XX 20 Sheets Formal Drawings

Respectfully submitted,

*EJ Wall*

Eamon J. Wall, Attorney  
Reg. No. 39,414  
(732) 530-9404

Thomason, Moser & Patterson LLP  
Attorneys at Law  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, NJ 07702

\*\*\*EXPRESS MAIL CERTIFICATION\*\*\*

"Express Mail" mailing label number: EL736883222US

Date of deposit: 02/12/01

I hereby certify that this patent application and related papers is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

*Michael Civil*

Signature of person mailing paper or fee

MICHAEL CIVIL

Name of person mailing paper or fee

RECEIVED

OCT 23 2001

OFFICE OF PETITIONS

THOMASON, MOSER & PATTERSON, LLP

*Attorneys at Law*

595 SHREWSBURY AVENUE  
SUITE 100  
SHREWSBURY, NEW JERSEY 07702

Telephone (732) 530-9404  
Facsimile (732) 530-9808  
www.tmplaw.com

EL736883222US



PATENT APPLICATION

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

APPLICATION TRANSMITTAL AND CHANGE OF ADDRESS

Sir:

Enclosed herewith for filing under the provisions of 37 CFR §1.53(b) is the following divisional patent application. This application is a divisional of commonly assigned pending U.S. patent application Serial No. 08/984,427, filed on December 3, 1997, which application claims the benefit of U.S. provisional patent application Serial No. 60/034,490, filed on January 13, 1997; applicants claim the benefit of such prior U.S. applications under 35 U.S.C. §120 and/or 35 U.S.C. §119:

Applicant(s): Donald Gordon, Christopher Goode, Philip A. Thomas, Mark D. Conover and Brooks Cole

Title of application: METHOD AND APPARATUS FOR PROVIDING A MENU STRUCTURE FOR AN INTERACTIVE INFORMATION DISTRIBUTION SYSTEM

Pages of specification: 33 (30 + 2 pages of claims and 1 page abstract)

Sheets of drawing: 20

Executed on: 2/10/98 by inventor Gordon; 2/5/98 by inventor Goode, 2/25/98 by inventor Thomas, 2/5/98 by inventor Conover, and 8/19/98 by inventor Cole

Docket No.: DIVA/006 DIV1

RECEIVED

OCT 23 2001

OFFICE OF PETITIONS



PATENT APPLICATION FILING FEE CALCULATION

	<u>No. Filed</u>	<u>Less</u>	<u>Rate/Claim</u>	<u>Fee</u>
Total Claims	6	-20	0 x \$18.00	\$ 000.00
Independent Claims	2	- 3	0 x \$80.00	\$ 000.00
Minimum Filing Fee				\$ 710.00
Multiple Dependency Fee (if applicable - \$270.00)				\$ 000.00
50% Reduction for Small Entity (Independent Inventor, Non-profit Corporation, or Small Business Concern) - appropriate verified statement attached				-\$ 355.00
TOTAL FILING FEE				\$ 355.00

Kindly charge the entire and any additional filing fee, as appropriate, to deposit account 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Kindly send all correspondence relating to this application to the following address:

CUSTOMER #26,291  
THOMASON, MOSER & PATTERSON, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702

Also enclosed herewith for filing in connection with the enclosed application are:

\_\_\_\_ Oath;  
XX A copy of the executed Declaration for prior application  
Serial No. 08/984,427, filed December 3, 1997;  
Disclosure Statement; **this application is a divisional  
of allowed prior application No. 08/984,427, filed on  
December 3, 1997;**  
\_\_\_\_ Letter referencing previously filed disclosure  
document; number \_\_\_\_\_ filed \_\_\_\_\_;  
XX **Applicants claim small entity status;**  
XX Claim(s) to priority under 35 U.S.C. § 120:  

<u>Serial Number</u>	<u>Filing date</u>
08/984,427	12/03/97
60/034,490	01/13/97



RECEIPT #7

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Applicant: **Gordon et al.**  
Case no.: **DIVA/006 DIV1**  
Serial No.: **09/781,483** Filed: **February 12, 2001**  
Group Art Unit: **2173**  
Title: **METHOD AND APPARATUS FOR PROVIDING A MENU  
STRUCTURE FOR AN INTERACTIVE INFORMATION  
DISTRIBUTION SYSTEM**

ASSISTANT COMMISSIONER FOR PATENTS  
Office of Initial Patent Examination's  
Customer Service Center  
Washington, D. C. 20231

S I R:

SECOND REQUEST FOR CORRECTED FILING RECEIPT

Enclosed are REQUEST FOR CORRECTED FILING RECEIPT and postal card receipt. To date, Applicants have not received the requested CORRECTED FILING RECEIPT. Please issue the CORRECTED FILING RECEIPT. If the Office has any questions respecting this request, please call the undersigned at 732-530-9404.

Respectfully submitted,

10/2/01

E J Wall

Eamon J. Wall  
Reg. No. 39,414  
(732) 530-9404

MOSER, PATTERSON & SHERIDAN, LLP  
Attorneys at Law  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
732-530-9404

RECEIVED

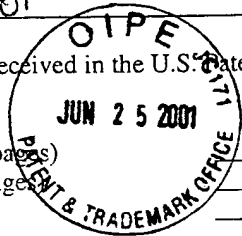
OCT 23 2001

OFFICE OF PETITIONS



Docket No.: DWA/0000 Div 1 ✓  
Applicant: Gordon et al.  
Filed: 2/12/01

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereupon:



<input type="checkbox"/> Specification (___ pages)	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Claims (___ pages)	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Abstract (1 page)	<input type="checkbox"/> Deposit Acct. Transaction
<input type="checkbox"/> Oath or Declaration	<input type="checkbox"/> Assignment + Cover Sheet
<input type="checkbox"/> Petition	<input type="checkbox"/> FORMAL Drawings (___ sheets)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> INFORMAL Drawings (___ sheets)
<input type="checkbox"/> Claim of Priority	<input type="checkbox"/> Disclosure Statement
<input checked="" type="checkbox"/> <u>180/0000</u> Mail Certificate, <u>Reyes-Adame et al. 7/1/01</u>	
dated <u>6/22/01</u>	

This application has been assigned serial number 09/781,483

ejw

RECEIVED

OCT 23 2001

OFFICE OF PETITIONS



CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

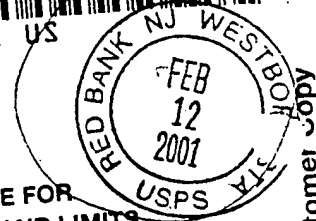
I hereby certify that this correspondence is being deposited  
on 10/2/01 with the United States Postal  
Service as first class mail, with sufficient postage, in an  
envelope addressed to the Assistant Commissioner for Patents,  
Office of Initial Patent Examination's Customer Service Center,  
Washington, D.C. 20231.

*Kevin Elmer*  
Signature

10/2/01  
Date of signature



# POST OFFICE TO ADDRESSEE



SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code	Day of Delivery
07701	<input checked="" type="checkbox"/> Next <input type="checkbox"/> Second
Time in	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM
10:00	<input checked="" type="checkbox"/> Military
Time in	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day
10:00	Int'l Alpha Country Code
Weight	COD Fee
9 lbs. 0 ozs.	Insurance Fee
No Delivery	Total Postage & Fees
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	\$ 16-

☐ **WAIVER OF SIGNATURE (Domestic Only):** Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday

Customer Signature

CUSTOMER USE ONLY  
METHOD OF PAYMENT:  
Express Mail Corporate Acct. No.

07701

FROM: (PLEASE PRINT)

PHONE ( )

THOMSON MOSER & PATTERSON LLP  
590 SHREWSBURY AVE STE 100  
SHREWSBURY MA 01772

ETW

DIVA/006 DIV 1

TO: (PLEASE PRINT)

PHONE ( )

ASSISTANT COMMISSIONER FOR  
PATENTS

Box PATENT APPLICATION

WASHINGTON, DC 20231

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



RECEIVED

OCT 23 2001

OFFICE OF PETITIONS



Customer Copy